IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1248 OF 2006

Bharat Najabhai Thadeshwar .. Applicant.
Vs.
State of Maharashtra & Ors. .. Respondents.

Mr.A.H.H.Ponda for the applicant.
Mr.A.S.Shitole A.P.P. for the State.
Mr.D.R.Shah for respondent no.4.
Ms.Vandana D.Jaisingh for respondent no.5.

CORAM : D.B.BHOSALE, J.

DATED : 18TH JULY, 2006

P.C.:

. Heard learned counsel for the parties and learned A.P.P. for the State.

2. The applicant, in this application has made the following prayers:

> "(a) this Hon'ble Court may be pleased to direct that the Case No.602/S/2001 (now newly numbered as 363/SS/2005) pending in the Court of Ld.Metropolitan Magistrate, 22nd Court at Andheri, Mumbai may be kindly expedited and may be ordered to be completed within a period of 3 months from today,
>
> (b) this Hon'ble Court may be pleased to prepone the date from 12th September, 2006 to any other earlier date on such terms and conditions as this Hon'ble Court may deem fit and proper."

3. It appears that the case is pending since 2001

and till this date the evidence before the charge has not been recorded by the learned Magistrate. I perused the petition as also the annexures thereto and heard learned counsel appearing for the parties. The learned counsel for the respondents have no objection for giving directions to the learned Magistrate for deciding the case within time frame. In the circumstancews I pass the following order:

. The learned Magistrate, 22nd Court at Andheri, Mumbai shall endeavour to decide case No.602/S/2001 (now newly numbered as 363/SS/2005) as expeditiously as possible and preferrably within a period of nine months from the date of receipt of this order. He may also decide the application/s, if any, pending and if it/they is/are required to be decided before proceeding with the hearing of the case, within three months from today. Once the trial starts, the trial Court to proceed with the same, as far as possible, on day-to-day basis. With these directions this application is disposed of.

(D.B.Bhosale, J.)